



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hans HUNDEGGER

Petitions Examiner: Paul Shanoski

Serial No.: 10/728,773

Filed: December 8, 2003

For: METHOD AND WORKING INSTALLATION FOR THE WORKING OF WOOD
WORKPIECES

RENEWED PETITION PURSUANT TO 37 CFR 1.181(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Decision on Petition mailed March 30, 2009, the Petitions Examiner asks specific questions in his analysis which are contained on Page 4. The purpose of this renewed petition is to answer the questions by the Petitions Examiner. The initial Petition filed March 10, 2009 is incorporated herein by reference.

The Examiner inquires if undersigned counsel reviewed all the applicable places in his law office that the missing Notice of Allowance, mailed September 22, 2008, might be located. The answer is yes. Furthermore, the Petitions Examiner inquires if undersigned counsel physically reviewed the file jacket and the application contents. Again, the answer is yes.

The Petitions Examiner has inquired if undersigned counsel's docketing software program is a computer-based docketing software program. The answer is yes. Enclosed as Exhibit D is a printout from the website of Computer Packages, Inc. (CPI). They have been in

existence for over 40 years and are the world's largest supplier of patent and trademark management systems. Undersigned counsel's law firm subscribes to the patent module, trademark module, and general Matters module. Regarding the patent module, once our docketing department enters a date in the computer docketing system, in accordance with Paragraph 3 of the Petition filed March 10, 2009, the system automatically calculates and docketes the appropriate due date and call-up dates. CPI generates dockets from these dates in chronological order either on a daily basis, weekly basis, or monthly basis. Undersigned counsel obtains a weekly docket of all matters assigned to him. Every matter entered into CPI must have a responsible attorney. Once the responsible attorney determines a working attorney, that attorney is also entered into the system. Therefore, when the dockets are run on a daily, weekly, or monthly basis, both the responsible and working attorney receives the docket. In the instant application, undersigned counsel is the responsible attorney. Exhibit A shows the due dates and call ups on the instant application that undersigned attorney would have received dockets on.

The Petitions Examiner inquired about the operation of the docketing system. All incoming mail from the United States Patent and Trademark Office or any other equivalent Patent and Trademark Office is channeled through a two person docketing department. The first person determines the due date, entering the due date into CPI and on the document. The second person double checks the entry in CPI and initials the document. Depending upon the type of action, CPI automatically enters call ups which are generated from the mailing date of the official letter as well as a due date which may be generated by the docketing system but is doubled checked by the docketing department. In the instant matter, had the docketing department

received the Notice of Allowance, the mail date of September 22, 2008 would have been entered; a due date of December 22, 2008 would have automatically been generated along with a call-up and a further call up a month before the due date would have been generated for a "divisional" application, because there was a Restriction Requirement. None of these docket dates, due dates or reminders were generated since a Notice of Allowance was never received by the docketing department.

The Petitions Examiner inquires as to the handling of these "call-ups." They are either automatic and/or in some cases manually generated. Undersigned counsel's secretary, on a weekly basis on Monday or Tuesday runs the docket for the following week running from the upcoming Saturday through Friday. This docket of due dates, call ups, etc is then gone through by undersigned counsel and his secretary and all necessary files are physically requested from the file room and are delivered to undersigned counsel's secretary.

A further question is asked as to whether the master docket is reviewed on a periodic basis. The docketing department must clear the docket on a daily basis. In order to do that, they expect to receive a copy of the docket from each responsible attorney with notations from the responsible attorney's secretary as to what is done with each case. The cases with extendible dates are either extended or they are timely filed. When a case is prepared and filed, the case is physically brought to the docketing department, entered into a physical docket book and hand carried to the USPTO with a postcard. The postcards are date-stamped and hand carried back by the law firm's employee at which time the docketing department indicates the matter has been responded to. If there is no disposition indicated on a non-extendible due date on a particular

day, the docketing departments calls the secretary and/or the responsible attorney to inquire as to what will be done. In the above-indicated way, the docketing department clears all due dates that come up on the docket each given day.

It is submitted that all of the questions are understood by the undersigned attorney set forth by the Petitions Examiner in the dismissal of the petition and have been answered. Should there be any further clarification required, undersigned counsel would appreciate a telephone call.

Early indication that this petition has been granted is courteously awaited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

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Atty. Docket: P69351US0
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Enclosure:

Exhibit D

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EXHIBIT

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